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11 Attorneys for Defendant
12 Metropolitan Life Insurance Company

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 MARCUS MAY,

16 Plaintiff,

17 v.

18 METROPOLITAN LIFE INSURANCE
19 COMPANY,

20 Defendant.

CASE NO. C 07-01660 MHP

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO
COMPLETE MEDIATION AND
BRIEFING SCHEDULE**

21 Pursuant to Local Rules 6-2 and 7-12, the parties hereby stipulate:

22 WHEREAS plaintiff Marcus May and defendant Metropolitan Life Insurance Company,
23 were previously ordered to complete mediation within 90 days of the Court's Minute Order of
24 June 25, 2007;

25 WHEREAS the Court's Minute Order of June 25, 2007, also set a briefing schedule and
26 hearing date for cross motions for summary adjudication/standard of review in which the opening
27 motion briefs are due on October 9, 2007, opposition briefs are due on October 23, 2007, and a
28 hearing is set at 2:00 p.m. on November 5, 2007;

WHEREAS the parties (through counsel) diligently attempted to schedule the mediation
but had difficulty selecting a mutually agreeable mediator, and had multiple discussions
regarding a variety of mediators before finally agreeing on David Meadows;


1 WHEREAS the parties, counsel, and mediator have now agreed to a date of October 9,
2 2007, the earliest date that is mutually available;

3 WHEREAS there have been no prior extensions of the mediation deadline or of the cross-
4 motion deadlines in this action.

5 NOW, THEREFORE, the parties hereby stipulate to and mutually request that the Court
6 grant an extension of the deadline for completing the mediation to October 9, 2007, and grant an
7 extension of the briefing schedule and hearing date for cross motions for summary
8 adjudication/standard of review so that the opening motion briefs are due on October 30, 2007,
9 opposition briefs are due on November 13, 2007, and a hearing is set at 2:00 p.m. on November
10 27, 2007;

11 IT IS SO AGREED AND STIPULATED.

12 DATED: September 13, 2007 SEDGWICK, DETERT, MORAN & ARNOLD LLP

13
14 By: 
15 Rebecca A. Hull
16 Shawn M. Wrobel
17 Attorneys for Defendant
Metropolitan Life Insurance Company

18 DATED: September __, 2007 LAW OFFICES OF P. RANDALL NOAH

19
20 By: _____
21 P. Randall Noah
22 Attorney for Plaintiff
23 Marcus May

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 DATED: 9/17/2007 _____

26
27 Hon. Marilyn G. P.
28 United States District Court



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15 By: _____
16 Rebecca A. Hull
17 Shawn M. Wrobel
18 Attorneys for Defendant
19 Metropolitan Life Insurance Company

20 DATED: September 13, 2007 LAW OFFICES OF P. RANDALL NOAH
21
22

23 By: _____
24 P. Randall Noah
25 Attorney for Plaintiff
26 Marcus May

27 PURSUANT TO STIPULATION, IT IS SO ORDERED.
28

DATED: _____

Hon. Marilyn H. Patel
United States District Judge